

INCOMING TELEGRAM

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Control: 14627

Rec'd: DECEMBER 26, 1958  
8:35 AM

FROM: BONN

TO: Secretary of State

NO: 1349, DECEMBER 26, 1 PM

FOLLOWING MESSAGE FROM CINCUSAREUR DATED 24 DECEMBER 1528Z NUMBER SX 8385 REPEATED FOR YOUR INFORMATION

SENT USCOB BERLIN REPEATED INFORMAT ON USCINCEUR USBER BERLIN, USNMR SHAPE, CINCUSAFE, CINCUSAFE ADVON, AMEMB BONN

1. REFERENCES: A. USCOB 158, DATED 28 NOV 58.

B. USAREUR SX 7631, DATED 12 NOV 58. NOTAL

C. USAREUR SX 8316, DATED 19 DEC 58.

2. THAT PART OF CURRENT TRIPARTITE INSTRUCTIONS (REF 1B) REGARDING MOVEMENT INDIVIDUAL MILITARY VEHICLES OR MILITARY CONVOYS ON BERLIN-HELMSTEDT AUTOBAHN WHICH PERMIT VEHICLE AND CONVOY COMMANDERS SHOW UNDER PROTEST SAME DOCUMENTATION TO EAST GERMANS AS SHOWN SOVIET CHECKPOINT OFFICIALS IS CANCELLED EFFECTIVE IMMEDIATELY.

3. NEW INTERIM INSTRUCTIONS TO SINGLE MILITARY VEHICLE AND MILITARY CONVOY COMMANDERS TRIPARTITELY AGREED THIS DATE ARE AS FOLLOWS:

A. THE MILITARY CONVOY OR VEHICLE COMMANDER WILL DECLARE TO THE EAST GERMAN OFFICIAL THAT THIS IS A US MILITARY VEHICLE(S) AND WILL DEMAND TRANSIT THROUGH THE SOVIET ZONE AS A MATTER OF RIGHT.

B. IF THE EAST GERMAN OFFICIAL REFUSED TO LET THE VEHICLE(S) PASS AND DEMANDS DOCUMENTATION, THE CONVOY OR VEHICLE COMMANDER WILL ASK HIM TO PRODUCE A SOVIET OFFICER TO WHOM NORMAL

DOCUMENTATION WILL PRODUCTION FROM THIS

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DOCUMENTATION WILL BE SHOWN.

C. IF PASSAGE WITHOUT DOCUMENTATION AND THE DEMAND TO SEE A SOVIET OFFICER ARE BOTH REFUSED, THE CONVOY OR VEHICLE COMMANDER WILL TURN BACK AND REPORT THE MATTER TO THE MILITARY POLICE ON DUTY AT THE US CHECKPOINT.

D. A FULL REPORT OF THE INCIDENT WILL BE FURNISHED THE US COMMANDER, BERLIN.

4. PRECEDING INSTRUCTIONS SHOULD BE IMPLEMENTED AS QUICKLY AS PRACTICAL.

5. ALTHOUGH DISCUSSED, THERE IS NO TRIPARTITE AGREEMENT WITH REGARDS TO AN ESCAPE CLAUSE SIMILAR TO ONE PERTAINING TO TRAINS (PARA 3C REF C) SINCE IT WAS NOT POSSIBLE POLITICALLY TO FORESEE MILITARY CONTINGENCIES WHICH MIGHT ARISE REGARDING MILITARY CONVOYS AND VEHICLES. CONSIDER HERE (USAREUR) AN ESCAPE CLAUSE REQUIRED, THEREFORE, REQUEST YOU DRAFT APPROPRIATE INSTRUCTIONS IN COORDINATION WITH BRITISH AND FRENCH COUNTER-PARTS WHICH MAY BE ISSUED UNILATERALLY BY EACH COMMANDANT.

6. THERE IS STILL NO CHANGE IN INSTRUCTIONS FOR AUTOBAHN TRAVEL OF PRIVATELY OWNED VEHICLES. YOU WILL BE INFORMED WHEN THIS PHASE OF US GOVERNMENT-SPONSORED TRAVEL IS CHANGE TRIPARTITELY.

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